

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

JEAN T. THOMAS, *et al.*,

Plaintiffs,

v.

WITTSTADT TITLE & ESCROW  
COMPANY, LLC

Defendants.

Civil Action No. 3:12-cv -00450-JRS

DECLARATION OF KRISTI C. KELLY

I, Kristi C. Kelly declare:

1. My name is Kristi C. Kelly. I am over 21 years of age, of sound mind, capable of executing this declaration, and have personal knowledge of the facts stated herein, and they are all true and correct.

2. I am one of the attorneys working on behalf of the Plaintiffs in the above styled litigation, and I am an attorney and a partner of Surovell, Isaacs, Petersen & Levy, PLC a nineteen attorney law firm with offices in Fairfax, Virginia. My primary office is 4010 University Drive, Suite 200, Fairfax, Virginia 22030.

3. Since 2006, I have been and presently am a member in good standing of the Bar of the highest court of the State of Virginia, where I regularly practice law. Since 2007, I have been and presently am a member in good standing of the Bar of the highest court of the District of Columbia.



4. From Fall of 2007 through January 2009, I worked for Legal Services of Northern Virginia as a housing and consumer law attorney. In that capacity, I represented low-income clients in all phases of litigation before state and federal courts throughout Virginia, with an emphasis on mortgage related litigation.

5. Since 2009, my practice has been limited to consumer protection litigation. While my experience representing consumers has come within several areas, my most developed area of expertise is in plaintiffs litigation under the Federal Consumer Credit Protection Act, 15 U.S.C. § 1601, et seq., and in particular the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq., the Equal Credit Opportunity Act, 15 U.S.C. § 1691, et seq., and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

6. I have experience in complex litigation, including class action cases, prosecuted under the Consumer Credit Protection Statutes, including the Fair Credit Reporting Act, the Equal Credit Opportunity Act, and the Fair Debt Collection Practices Act.

7. In each of the class cases where I have represented Plaintiffs in a consumer protection case, including cases such as the instant case, the Court found me to be adequate class counsel and has approved my requests for fees and costs.

8. I have taught Continuing Legal Education (CLE) programs for other attorneys in the areas of Consumer Law, Mortgage Litigation and Landlord and Tenant Issues.

9. My law firm uses STI/TABS billing software to contemporaneous record our time expended and costs advanced in client matters.

10. As of December 4, 2013, my law firm has advanced \$3,008.25 in costs for the prosecution of this action, which represents \$2,973.52 for private mediation services with Judge Poretz and \$34.73 in federal express charges. My law firm generally does not charge costs to the

client for legal research charges, regular postage or copies.

11. My hourly rate in this matter is \$325.00 per hour. My hourly fee clients pay my hourly rate if they were to hire me on a non-contingent/fee shifting basis.

12. Generally, if a task does not take more than .1 (or six minutes), I will not bill for that task. This includes reviewing PACER ECFs, fielding brief telephone calls, responding to quick emails, etc.

13. As of December 4, 2013, Surovell Isaacs Petersen & Levy, PLC had spent 39.3 hours on this matter. This resulted in total attorneys' fees expended of \$12,772.50.

14. I am familiar with the fees charged for attorneys with my experience and expertise and believe the rates of my law firm are in line with the prevailing market rates in Virginia.

15. The costs advanced and time expended does not include time spent drafting the Motion for an Award Attorneys Fees and Costs or any work done after December 4, 2013.

I declare under penalty of perjury of the laws of the United States that the foregoing is correct.

Signed this 5th day of December 2013.

  
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Kristi C. Kelly